

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original first and joint inventor (if plural names are listed below) of the subject matter for which a patent is sought on the invention entitled Equine herpes virus temperature sensitive mutant and live vaccine thereof..... the specification of which

[CHECK ONE]

[ ] is attached hereto

[ ] was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_

[if applicable]

[X] as filed under the Patent Cooperation Treaty on 11-09-2000 Serial No PCT/EP00/08944, The United States of America being designated.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined Title 37, Code of Federal Regulations Section 1.56(a)

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign applications(s) for patent or inventor's certificate having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign Application(s)		Priority claimed	
<u>99202933.0</u>	<u>Europe</u>	<u>10-09-1999</u>	<u>V</u> Yes <u>      </u> No
Number	Country	Day/Month/Year filed	
_____	_____	_____	<u>      </u> Yes <u>      </u> No
Number	Country	Day/Month/Year filed	
_____	_____	_____	<u>      </u> Yes <u>      </u> No
Number	Country	Day/Month/Year filed	

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose to the patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application.

(U.S. Serial No.) (Filing date) (Status-patented, pending, abandoned)

(U.S. Serial No. (Filing date) (Status-patented, pending, abandoned)

And I hereby appoint as principal attorney, William M. Blackstone, Registration No. 29,772, as patent agent.

Please address all communications to:

William M. Blackstone  
AKZO NOBEL N.V.  
1300 Piccard Drive #206  
Rockville, MD 20850-4373

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Jay R. Patel  
Inventor's signature Jay Patel 14/2/02  
Date

Citizenship British  
Residence and P.O. Address Highfield Cottage, 51 Westdrive, Caldecote, Cambridge, U.K.

Full name of second joint inventor \_\_\_\_\_  
Inventor's signature \_\_\_\_\_  
Date

Citizenship \_\_\_\_\_  
Residence and P.O. Address \_\_\_\_\_

Full name of third joint inventor \_\_\_\_\_  
Inventor's signature \_\_\_\_\_  
Date

Citizenship \_\_\_\_\_  
Residence and P.O. Address \_\_\_\_\_

Full name of fourth joint inventor \_\_\_\_\_  
Inventor's signature \_\_\_\_\_  
Date

Citizenship \_\_\_\_\_  
Residence and P.O. Address \_\_\_\_\_

TO THE HONORABLE COMMISSIONER  
OF PATENTS AND TRADEMARKS  
WASHINGTON DC 20231

REQUEST FOR RECORDING AND COVER SHEET UNDER 37 CFR 3.28 AND 3.31

Please record the attached original document or copy thereof.

1. Name of party conveying the interest:

PATEL, Jay R.

2. Name and address of party receiving the interest:

Akzo Nobel N.V.

Velperweg 76

6824 BM Arnhem

The Netherlands

3. Nature of conveyance:

☒ Assignment ☐ Change of Name ☐ Other

Execution Date: 2/14/2002

4. Patent Application Number: To be assigned

Patent Number: To be assigned.

☒ Document filed together with a patent application executed on December 1, 2003

5. Address correspondence concerning this Request to:

William P. Ramey III, Intervet Inc., Akzo Nobel N.V.

P.O. Box 318, Millsboro, DE 19966

6. Total number of applications or patents involved:

1 @ \$40.00 = \$40.00

7. Total fee under 37 CFR 3.41:

\$ 40.00

8. Please charge the total fee under 37 CFR 3.41 (\$40.00) to our Deposit Account No. 02-2334. In the event any fees are required with this paper, please charge our Deposit Account No. 02-2334.

9. To the best of knowledge and belief of the undersigned, the foregoing information is true and correct and any attached copy is a true copy of the original document.

10. Date: 12/4/03

Name: William P. Ramey III

Registration Number: 44,295

Total number of pages including cover sheet, attachments and document 2

United States  
Assignment from Inventor

In consideration of one dollar ( \$ 1.00 ) and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned Assignor:

Jay R. Patel  
Highfield Cottage  
51 Westdrive, Caldecote  
Cambridge  
U.K.

hereby sells, assigns and transfers to Assignee:

*Akzo Nobel N.V*

its successors, assigns and legal representatives, the entire right, title and interest for the United States and all foreign countries, in and to, and any and all improvements which are disclosed in

(a) Patent Number \_\_\_\_\_ Dated \_\_\_\_\_

(b) Application for Letters Patent Serial No. \_\_\_\_\_, filed \_\_\_\_\_

(c) Application for Letters Patent which has been executed by the undersigned concurrently herewith and is entitled:

**"Equine herpes virus temperature sensitive mutant and live vaccine thereof"**

and in and to said application and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all other foreign countries on any of said improvements; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said improvements.

The Assignee may apply for and receive the Letters Patent in its own name. When requested by the Assignee or its successors, the undersigned will execute all other patent applications; proper oaths; assignments; powers of attorney, or other papers and communicate all facts known to it relating to the improvements and the history thereof; and generally do everything possible which the Assignee or its successors shall consider desirable for aiding in securing and maintaining proper patent protection for the improvements and for vesting title in the Assignee or its successors.

Assignors warrant that they have the full right to convey the rights and property described herein and no assignment, grant, mortgage or license or other agreement affecting such rights and property has been made to other by the undersigned.

Assignor

By Jay Patel 14/2/02  
J.R. Patel

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

Before me this 14<sup>th</sup> day of FEBRUARY, 2002 personally appeared the above named individual(s) to me known to be the person(s) who (is) (are) described in and who executed the above instrument, and acknowledged to me that (he) (she) (they) executed the same of (his) (her) (their) own free will (on behalf of said firm or corporation) for the purposes therein set forth.

By [Signature]  
Type name SUEAN DIONIC

Address 8 STRAIGHT FURLONG, PYMOR, ELY, CAMBS, CB6 2EG